

**CARLOS M. RAMIREZ**  
MAYOR

**MONICA D. CUNNINGHAM**  
CHIEF ADMINISTRATIVE OFFICER

**ESTRELLA ESCOBAR**  
EXECUTIVE ASSISTANT TO THE MAYOR

**MARK THREADGILL**  
EXECUTIVE ASSISTANT TO THE MAYOR



**CITY COUNCIL**

**JAN SUMRALL**  
DISTRICT NO. 1

**ROSE RODRIGUEZ**  
DISTRICT NO. 2

**LARRY M. MEDINA**  
DISTRICT NO. 3

**JOHN COOK**  
DISTRICT NO. 4

**PRESI ORTEGA, JR.**  
DISTRICT NO. 5

**PAUL JOSEPH ESCOBAR**  
DISTRICT NO. 6

**LUIS G. SARIÑANA**  
DISTRICT NO. 7

**ELVIA G. HERNANDEZ**  
DISTRICT NO. 8

**REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
JANUARY 2, 2001  
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Carlos M. Ramirez present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Presi Ortega, Jr., Paul Joseph Escobar, Luis G. Sariñana and Elvia G. Hernandez. Absent: None. Meeting was called to order and the invocation was given by Pastor David Palomino, First Apostolic Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Ortega, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).

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\*Motion made, seconded and unanimously carried to approve the Minutes for Regular Council Meeting of November 14, 2000.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract of Appraisal Services not to exceed One Thousand Eight Hundred Fifty and No/100ths (\$1,850) Dollars between the City of El Paso and John's Appraisal Service, for the appraisal of the following parcels, in fulfillment of the Borderland Area Street and Drainage Improvements, a 25th Year (1999-2000), 26th Year (2000-2001) and 27th Year (2001-2002), Community Development Project:

- Parcel 1: Portion of Tract 7B1, El Canutillo survey N0.173, consisting of 193,457 square feet more or less.
- Parcel 2: Portion of Tract 46-A-2, Nellie D. Mundy Survey No. 241, consisting of 2,753 square feet more or less. (Access Easement)
- Parcel 3: Portion of Tract 1B-5, Manuel Gonzalez Survey No. 186 consisting of 2,368 square feet more or less. (Drainage Easement)
- Parcel 4: Portion of State of Texas Right-of-way, within Manuel Gonzalez survey No. 186, consisting of 406 square feet more or less. (Drainage Easement)

- Parcel 5: Portion of Tract 46-A, and 46-A-1, Nellie D. Mundy Survey No. 241, consisting of 5,044 square feet more or less. (Access Easement)
- Parcel 6: Portion of Tract 1B-6, Manuel Gonzalez Survey No. 186 consisting of 276,738 square feet more or less.

\*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That values have been set in accordance with the law for the following property, which is proposed to be acquired for Carpenter Addition Street and Drainage Improvements, a Twenty-sixth (26<sup>th</sup>) Year (2000-2001) Community Development Project, and that, having considered relevant facts pursuant to the applicable law, the Council hereby establishes Just Compensation and approves an offer of Just Compensation as follows:

- Parcel 1: A portion of Lot 1, Block 2, Alameda Trade Center, containing 1.006 acres, more or less.  
Value: \$110,700.00
- Parcel 2: A portion of Tract 27A1, Block 29, Ysleta Grant, containing .006 acres, more or less.  
Value: \$523.00

and that the Mayor be authorized to sign Contracts of Sale, with respective property owners of the above parcels in the amount of Just Compensation.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the 1999 Empowerment Zone Planning and Implementation Grant No. EZ-99-TX-0013 allocating an additional \$5,000,000 for economic development activities consistent with the Strategic Plan.

Representative Hernandez explained she wanted the public to be aware of the progress by the Empowerment Zone. She also inquired as to how many projects will be started.

Ms. Deborah Hamlyn, Director of Community & Human Development, explained this is an Amendment to the 1999 Empowerment Zone Planning and Implementation Grant. She stated the first year projects are 75-80% committed.

Representative Hernandez commented on how fast the Empowerment Zone projects are moving. She also stated the City needs to "toot our own horn".

Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to approve the above Resolution.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Estoppel Certificate for the benefit of Fannie Mae, in connection with the Line of Credit Agreement between the El Paso Empowerment Zone Corporation and Fannie Mae related to the Empowerment Zone (EZ) Grant designated for sustaining neighborhoods.

Representative Hernandez asked what the total amount of line of credit is.

Mr. Clyde Pine, attorney for the Empowerment Zone, stated this would be a \$500,000 revolving line of credit. He stated this is the first time Fannie Mae has done this with any Empowerment Zone in the Country. He added the use of this Line of Credit Agreement would be utilized in many areas, particularly in housing.

Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign seven (7) Partial Releases of Liens, which are related to the Community Housing Development Organization (CHDO) Agreement between the City of El Paso and Los Exes De La Bowie and Friends, Inc., approved on June 15, 1999, pertaining to a HOME Ownership Project located at 8165-8177 San Jose Road and 303-307 Valle Sereno Drive for acquisition and construction of seven (7) single-family homes for sale to First Time Home Buyers.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor be authorized to sign a Forgivable Loan Agreement between the City of El Paso and the Good Samaritan Society, Inc., a non-profit corporation, in the amount of EIGHTEEN THOUSAND EIGHT HUNDRED THREE AND NO/100THS DOLLARS (\$18,803.00), for the design phase of the renovation of the 100 apartments at Good Samaritan Towers. This project is a part of the Twenty - Sixth Year (2000-2001) Community Development Program.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS TO DESIGNATE AN AREA AS REINVESTMENT ZONE "HH"; TO CALL A PUBLIC HEARING ON THE DESIGNATION; AUTHORIZING THE GIVING OF NOTICE OF THE PUBLIC HEARING; AND RELATED MATTERS.**

WHEREAS, the City Council (the "City Council") of the City of El Paso, Texas (the "City"), pursuant to the requirements of the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended (the "Act"), does hereby declare its intent to consider the adoption of an Ordinance designating an area within the City as Reinvestment Zone "HH";

WHEREAS, the area to be designated Reinvestment Zone "HH" is set forth and described in Exhibit "A" attached hereto, which is incorporated herein by reference for all purposes; (Exhibit on file with this Resolution in the City Clerk's Office.)

WHEREAS, the Act requires that the designation of an area as a reinvestment zone be done by the City Council through the adoption of an Ordinance;

WHEREAS, before an Ordinance may be adopted, the Act requires that the City Council hold a public hearing on such designation and accordingly the City Council intends hereby to hold such public hearing on Tuesday, January 16, 2001, at 9:00 o'clock a.m. in the City Council Chambers, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone; and,

WHEREAS, the Act requires that the City Council give notice of hearings by: (1) publication of such notice in a newspaper having general circulation in the City no later than the seventh day before the date of the hearing; and (2) delivery of such notice in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of the hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That the City Council hereby declares its intent to consider the adoption of an Ordinance designating the real property described and set forth in Exhibit "A" as a reinvestment zone, pursuant to the requirements of the Act. (Exhibit on file with this Resolution in the City Clerk's Office.)

Section 2. That the City Council hereby directs that a public hearing concerning such designation of a reinvestment zone be held at 9:00 o'clock a.m. on Tuesday, January 16, 2001, in the City Council Chambers on the second floor of the Municipal Building of the City of El Paso, 2 Civic Center Plaza, El Paso, Texas, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone.

Section 3. That a Notice of the public hearing shall be: (1) published in a newspaper having general circulation in the City no later than the seventh day before the date of such public hearing; and (2) delivered to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of such public hearing.

Section 4. That the Director of Economic Development for the City of El Paso or his duly authorized agent, be authorized to arrange for the publication of the Notice and also to send such Notice to the presiding officer of the governing body of each such taxing unit.

Mr. Adrian Ocegueda, Economic Program Analyst I, opened the discussion.

Mayor Carlos M. Ramirez remarked that we are very proud of the incentive package the City has put together. Mr. Ocegueda commented on the requirements for this which is the first retail store coming to El Paso in a Reinvestment Zone.

Representative Ortega asked about the three new businesses coming to El Paso.

Mr. Ocegueda explained there will be three retail companies. He clarified the obligations of these companies. He stated there will be two Kohl's Department Stores and a Lowe's. The Kohl's stores will have a location on the east and west side. He explained the Lowe's store located on the east side of town will be taking advantage of the tax abatement.

Representative Sumrall stated the Kohl's Department Stores are located across the Country. She added the managerial positions with the Kohl's stores will be paying \$24.00 an hour.

Representative Ortega commented on the new payroll in the millions of dollars and the amount of new jobs created.

Mr. Ocegueda explained these retail companies will also bring in sales tax monies.

Mr. Roberto Franco, Director of Economic Development, made remarks.

Mayor Ramirez commented on how well the partnership between the City and the private sector is working for El Paso.

Representative Medina complimented Mr. Franco and his staff.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

### **RESOLUTION**

**DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS TO DESIGNATE AN AREA AS REINVESTMENT ZONE "II"; TO CALL A PUBLIC HEARING ON THE DESIGNATION; AUTHORIZING THE GIVING OF NOTICE OF THE PUBLIC HEARING; AND RELATED MATTERS.**

WHEREAS, the City Council (the "City Council") of the City of El Paso, Texas (the "City"), pursuant to the requirements of the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended (the "Act"), does hereby declare its intent to consider the adoption of an Ordinance designating an area within the City as Reinvestment Zone "II";

WHEREAS, the area to be designated Reinvestment Zone "II" is set forth and described in Exhibit "A" attached hereto, which is incorporated herein by reference for all purposes; (Exhibit on file with this Resolution in the City Clerk's Office.)

WHEREAS, the Act requires that the designation of an area as a reinvestment zone be done by the City Council through the adoption of an Ordinance;

WHEREAS, before an Ordinance may be adopted, the Act requires that the City Council hold a public hearing on such designation and accordingly the City Council intends hereby to hold such public hearing on Tuesday, January 16, 2001, at 9:00 o'clock a.m. in the City Council Chambers, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone; and,

WHEREAS, the Act requires that the City Council give notice of hearings by: (1) publication of such notice in a newspaper having general circulation in the City no later than the seventh day before the date of the hearing; and (2) delivery of such notice in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of the hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That the City Council hereby declares its intent to consider the adoption of an Ordinance designating the real property described and set forth in Exhibit "A" as a reinvestment zone, pursuant to the requirements of the Act. (Exhibit on file with this Resolution in the City Clerk's Office.)

Section 2. That the City Council hereby directs that a public hearing concerning such designation of a reinvestment zone be held at 9:00 o'clock a.m. on Tuesday, January 16, 2001, in the City Council Chambers on the second floor of the Municipal Building of the City of El Paso, 2 Civic Center Plaza, El Paso, Texas, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone.

Section 3. That a Notice of the public hearing shall be: (1) published in a newspaper having general circulation in the City no later than the seventh day before the date of such public hearing; and (2) delivered to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of such public hearing.

Section 4. That the Director of Economic Development for the City of El Paso or his duly authorized agent, be authorized to arrange for the publication of the Notice and also to send such Notice to the presiding officer of the governing body of each such taxing unit.

Please see previous discussion on pages 4 and 5 for remarks.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

### **RESOLUTION**

**DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS TO DESIGNATE AN AREA AS REINVESTMENT ZONE "JJ"; TO CALL A PUBLIC HEARING ON THE DESIGNATION; AUTHORIZING THE GIVING OF NOTICE OF THE PUBLIC HEARING; AND RELATED MATTERS.**

WHEREAS, the City Council (the "City Council") of the City of El Paso, Texas (the "City"), pursuant to the requirements of the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended (the "Act"), does hereby declare its intent to consider the adoption of an Ordinance designating an area within the City as Reinvestment Zone "JJ";

WHEREAS, the area to be designated Reinvestment Zone "JJ" is set forth and described in Exhibit "A" attached hereto, which is incorporated herein by reference for all purposes;

WHEREAS, the Act requires that the designation of an area as a reinvestment zone be done by the City Council through the adoption of an Ordinance;

WHEREAS, before an Ordinance may be adopted, the Act requires that the City Council hold a public hearing on such designation and accordingly the City Council intends hereby to hold such public hearing on Tuesday, January 16, 2001, at 9:00 o'clock a.m. in the City Council Chambers, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone; and,

WHEREAS, the Act requires that the City Council give notice of hearings by: (1) publication of such notice in a newspaper having general circulation in the City no later than the seventh day before the date of the hearing; and (2) delivery of such notice in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of the hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That the City Council hereby declares its intent to consider the adoption of an Ordinance designating the real property described and set forth in Exhibit "A" as a reinvestment zone, pursuant to the requirements of the Act. (Exhibit on file with this Resolution in the City Clerk's Office.)

Section 2. That the City Council hereby directs that a public hearing concerning such designation of a reinvestment zone be held at 9:00 o'clock a.m. on Tuesday, January 16, 2001, in the City Council Chambers on the second floor of the Municipal Building of the City of El Paso, 2 Civic Center Plaza, El Paso, Texas, at which time all interested persons will be entitled to speak and present evidence for or against the designation of the reinvestment zone.

Section 3. That a Notice of the public hearing shall be: (1) published in a newspaper having general circulation in the City no later than the seventh day before the date of such public hearing; and (2) delivered to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone no later than the seventh day before the date of such public hearing.

Section 4. That the Director of Economic Development for the City of El Paso or his duly authorized agent, be authorized to arrange for the publication of the Notice and also to send such Notice to the presiding officer of the governing body of each such taxing unit.

Please see previous discussion on pages 4 and 5 for remarks.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **Karlsruher, Inc., d/b/a CSA Consulting Engineers** for civil engineering services for a period of two years for an amount not to exceed \$1,000,000.00.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement between the **CITY AND COUNTY OF EL PASO**, on behalf of El Paso City-County Health and Environmental District, and **CENTRO DE SALUD FAMILIAR LA FE, INC**, to provide laboratory services for clients with STD's at a rate according to Attachment A. Said Agreement shall have an effective date of July 1, 2000 and a termination date of August 31, 2001.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to submit an application and sign all related documentation for third year funding for a Violence Against Women's Act Grant in the amount of \$70,237.00 from the Office of the Governor, Criminal Justice Division, for the purpose of continuing efforts of the Victim Services Response Team; and designating Sgt. R. Angela Sommers as the official representative under the grant. The City agrees in the event of loss or misuse of Victims of Crime Act Grant funds, the funds will be returned to the Office of the Governor. Matching funds required in the amount of \$8,400, and in-kind match in the amount of \$26,534 in the form of volunteer hours.

Captain Mike Gill, El Paso Police Department, spoke regarding this item. He explained this Resolution will fund the Victim Services Response Team. This program is a Citywide effort which assists victims of crime.


Motion made by Representative Hernandez, seconded by Representative Cook and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to submit an application and sign all related documentation for third year funding for a Violence Against Women's Act Grant in the amount of \$74,485.00 from the Office of the Governor, Criminal Justice Division, for the purpose of continuing efforts of the Department in combating domestic violence; and designating Sgt. R. Angela Sommers as the official representative under the grant. The City agrees that in the event of loss or misuse of Victims of Crime Act grant funds, the funds will be returned to the Office of the Governor. Matching funds are required in the amount of \$53,239, and in-kind match in the amount of \$12,763 in the form of volunteer hours.

Captain Mike Gill explained this Resolution assists the Domestic Abuse Response Team, which is currently focused in ~~the~~ Northeast El Paso but will be implemented Citywide in the future. 

Representative Cook asked Captain Gill to expound on the success of the program in the Northeast.



Captain Gill responded accordingly.

Motion made by Representative Hernandez, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

That the Mayor be authorized to sign a License Agreement between FACE-Truth and Clarity on Alcohol and the City of El Paso, to provide for the use of billboard artwork referred to as: "Are Your Kids Making Friends or Drinking Buddies" for a two year period to be used in conjunction with the El Paso Police Department's Underage Drinking Prevention Initiative.

Captain Mike Gill, El Paso Police Department, stated this is a continuation agreement to combat underage drinking. This will allow the Police Department to post billboards across the City which will promote awareness of this problem in the City.

Representative Hernandez asked how many billboards would be displayed.

Captain Gill stated this is a two year contract; however, he did not have the information regarding how many billboards will be utilized.

Motion made by Representative Hernandez, seconded by Representative Cook and unanimously carried to approve the above Resolution.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor is authorized to sign all necessary contract documents for Tiburon, Inc. for extended services for Software Support and Maintenance Service for Emergency Dispatch and Records Management as authorized by City Council Motion dated October 29, 1996, and funding is hereby appropriated for these contracts for the El Paso Fire and Police Departments, Contract No. 0030-96C.

\*Motion made, seconded and carried that the following Housing Reconstruction application be approved in the amount shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue a check in the amount shown below for the approved application.

H00-11-OL-1500	Loan: \$50,000.00
Interest at 3%	Total: \$50,000.00
713 S. Concepcion (05)	Term: 20 Years

\*Motion made, seconded and carried that the following Housing Rehabilitation applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved applications.

A. H00-11-OL/AG/EC-1498	Loan: \$13,100.00
Interest at 2%	Grant: \$7,800.00
221 N. Luna (05)	Total: \$20,900.00
	Term: 20 years

B. H00-11-OL/EC/MP-0035	Loan: \$47,600.00
Interest at 0%	Grant: \$10,600.00
10232 Bellaire Ln. (24)	Total: \$58,200.00
	Term: 20 years

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 \*Motion made, seconded and unanimously carried to approve the request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Cashier II, Tax Office (1 position)
- B. Traffic Counter, Engineering Department (1 position)
- C. Traffic Signs and Markings Worker I, Street Department (2 positions)

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 \*Motion made, seconded and unanimously carried to approve the requests for provisional appointments(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Building Maintenance Worker I, Zoo (1 Position)
- B. Engineering Technician I, Engineering Department (1 position)
- C. Landfill Equipment Operator, Solid Waste Management (1 position)
- D. Library Information Specialist II, Library (1 position)
- E. Parking Enforcement Controller, Police Department (2 positions)
- F. Police Records Specialist I, Police Department (1 position)
- G. Traffic Specialist I, Engineering Department (1 position)

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 \*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Mortgage Services in the amount of \$3,619.44, overpayment of 2000 taxes.  
 (PID #C167-999-0040-1300)
  - B. Mortgage Services Center in the amount of \$4,984.05, overpayment of 2000 taxes.  
 (PID #C340-999-1480-1600)
  - C. Graciela Quezada in the amount of \$637.12, overpayment of 1999 taxes.  
 (PID #E369-002-0110-0180)
  - D. Blanca E. Retana in the amount of \$1,290.57, overpayment of 1999 taxes.  
 (PID #M851-999-0220-0300)
  - E. MindyMac Bank Home Loan Servicing in the amount of \$2,371.98, overpayment of 1999 taxes.  
 (PID #W144-999-0200-4000)
  - F. Lone Star Title in the amount of \$1,610.70, overpayment of 2000 taxes.  
 (PID #W145-999-0240-1800)
- .....

\*Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to issue Purchase Order(s) to Barringer Instruments, Inc. as they are the Manufacturer and sole provider of Barringer IONSCAN Saber 2000 and accessories.

Department: Fire  
Funds Available: 150024-208007-229903  
Funding Source: Special Revenue Fund - State Financial Award  
Award: \$25,000.00 Estimated

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\*Motion made, seconded and unanimously carried to postpone one week Bid No. 2001-032

Project: Yarbrough Drive Extension at El Paso International Airport  
Contractor: C. F. Jordan, L.P.  
El Paso, Texas  
Department: Airport  
Funding: 620026-50028-200-208027 - Airport - \$6,844,129.23  
City Portion (Acct. No. to be determined)- \$ 770,000.00  
Base Bid: \$7,614,129.23  
Total Award: \$7,614,129.23 (Estimate)

That the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, the Purchasing Contract Compliance Administrator and the City Attorney.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

Description or Explanation:

Base Bid IA	-	\$5,975,043.83
Base Bid IB	-	\$1,109,168.40
Base Bid IC	-	\$ 529,917.00

Total Recommended Award: \$7,614,129.23 (Estimate)

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\*Motion made, seconded and unanimously carried to award Bid No. 2001-049

Project: Apodaca Street and Drainage Improvements  
Contractor: W. R. Albert Construction, Inc.  
El Paso, Texas  
Department: Street  
Funding: : 150069-7126CD-009-208027 - \$67,462.75  
EPWU (Acct. No. to be determined) - \$15,371.00  
Base Bid: \$82,833.75  
Total Award: \$82,833.75

That the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, the Purchasing Contract Compliance Administrator and the City Attorney.

1. Lump Sum Component. As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000.00 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.
2. Unit Price Component. Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

Description or Explanation:

Base Bid I	-	\$ 64,750.00
Base Bid II	-	\$ 11,273.75
Base Bid III	-	\$ 6,810.00

Total Recommended Award	-	\$82,833.75
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Motion made, seconded and unanimously carried to move to the regular agenda Bid No.: 2001-063 - Irrigation Equipment and Supplies

Mayor Carlos M. Ramirez opened the discussion.

Mr. Byron Johnson, Director of Purchasing, explained this is a contract that will be utilized as it is needed.

Representatives Ortega, Escobar and Sumrall made comments.

Mr. Richard Garcia, Parks Operations Manager, explained the bid award is for operating materials and supplies. He stated the Parks Department will maintain and repair the irrigating systems. He explained 60% of the parks are automated; however, the parks located in the Northeast are 100% automated.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to award Bid No.: 2001-063 - Irrigation Equipment and Supplies

Award to:	1.)	Ewing Irrigation El Paso, Texas Items Nos.: 5, 10, 13, & 19 Amount: \$28,000.00 Estimated Yearly
	2.)	B & C Turf El Paso, Texas Items Nos.: 1, 2, 3, 4, 6, 7, 9, 9, 11, 12, 14, 15, 16, 17, 18, .20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, & 34 Amount: \$158,000.00 Estimated Yearly

Department:	Parks and Recreation
Funds Available:	010262-203202
Funding Source:	General Fund
Award:	\$187,000.00 Estimated Yearly

Purchasing and Parks & Recreation Departments recommend awards as indicated, to the lowest responsive (by definition, meeting specifications) offers, from responsible offerors.

Vendor #1 offers the City the option to extend the term of the contract for one (1) additional year at the same unit prices, if the option is exercised within one (1) year, from the date of award. Vendor #1 also offers a prompt payment discount of 2% 10 days.

This is a requirements type contract with an initial term of twenty-four (24) months.

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\*Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

- A. Liquor District application refund to Wilshire Beverage, Inc. in the amount of \$150.00.
- B. Plumbing permit #00-26414 refund to Ricardo Ramirez in the amount of \$34.65.
- C. Mechanical permit #00-26415 refund to Ricardo Ramirez in the amount of \$171.85.
- D. Food establishment permit refund to Juan Antonio Dominguez in the amount of \$75.00.
- E. Food establishment permit refund to Bertha Aguilar in the amount of \$95.00.

.....  
**ORDINANCE 14739**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF TRACTS 1 AND 2, BLOCK 1, CHRISTY TRACT, CITY OF EL PASO, EL PASO COUNTY, TEXAS (7948 MANSFIELD AVENUE) FROM R-F (RANCH-FARM) TO R-3A (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Veronica Rosales, Planning Department, clarified for Representative Sariñana this is not the property regarding Carefree Homes. She explained this applicant had amended the application. She explained 12 (twelve) new homes would be built.

Motion duly made by Representative Sariñana, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
\*Motion made, seconded and unanimously carried to postpone until February 6, 2001 an Ordinance changing the zoning of a portion of Section 44, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas (11900 Block of Rufus Brijalba Drive) from Q (Quarry) to R-3A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Carefree Land Company / Representative: Atcon Engineering & Surveying, 2112 Trawood, Suite B-1, 79935. ZC-00062 (District 5) **THIS IS AN APPEAL ZONING CASE**  
.....

Motion made by Representative Rodriguez, seconded by Representative Cook and unanimously carried to deny the appeal of the City Plan Commission's recommendation to deny an Ordinance changing the zoning of all of Tract 69, Sunrise Acres Number Two, City of El Paso, El Paso County, Texas (4900 Titanic Avenue) from R-4 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.01 of the El Paso Municipal Code. Applicant/Representative: Donald R. & Kathy J. Stoppiro, 10917 Walder Pond Lane, 79934. ZC-00067

Mayor Carlos M. Ramirez stated there is opposition regarding this item.

Ms. Veronica Rosales, Planning Department, explained this is an appeal zoning case. She reiterated the City Plan Commission denied this zoning change. She presented the case to Council Members and showed slides of the area.

A lengthy discussion regarding this item ensued. All Representatives asked questions.

Mr. Ron Stoppiro and Ms. Kathy Stoppiro explained the business being proposed is a used appliance repair and sales store, and stated this would be an asset to the neighborhood. They responded to the Representatives questions and stated they go to recycling at least twice a month and therefore the appliances would not be exposed on the lot.

Mr. Lewis Telles, principal involved in building ten new homes in this area, commented in opposition. He said the City is partly subsidizing the new home construction. He presented Council Members with photographs regarding the property being discussed.

Mayor Ramirez reiterated the City staff has denied this request, as well as the City Plan Commission. He added there are currently problems with the sanitary sewage system on this property.

Mr. Tom Maguire, Building Services, stated there is currently an open complaint against the property owners.

.....  
**ORDINANCE 14740**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF LOT 54 AND THE NORTH 50 FEET OF LOT 55, BLOCK 2 ZACH WHITE INDUSTRIAL DISTRICT UNIT TWO, AND ALL OF LOTS 18 TO 28, BLOCK 2, ZACH WHITE INDUSTRIAL DISTRICT, CITY OF EL PASO, EL PASO COUNTY, TEXAS (4585 RIPLEY DRIVE) FROM P-1 (PLANNED INDUSTRIAL) TO M-1 (LIGHT MANUFACTURING). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Veronica Rosales, Planning Department, presented this zoning case.

Mr. Conrad Conde, representative for the applicant, commented on the recycling center being proposed and added this request is for down-zoning.

Motion duly made by Representative Hernandez, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
**ORDINANCE 14741**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF LOTS 11 TO 14, AND THE NORTH 35 FEET OF LEON STREET VACATED ADJACENT, BLOCK 131, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS (314 WEST PAISANO DRIVE) FROM M-1 (LIGHT MANUFACTURING) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Hernandez asked what type of business was going in there. Ms. Veronica Rosales, Planning Department, explained the zoning changes. She stated the proposed use is for a nightclub.

Motion duly made by Representative Hernandez, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
**ORDINANCE 14742**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE #014697 CALLING A SPECIAL ELECTION FOR THE SUBMISSION OF CHARTER AMENDMENTS TO BE HELD JANUARY 20, 2001, BY ADDING AN AMENDMENT TO ALLOW THE CITY TO PICK-UP EMPLOYEE PENSION CONTRIBUTIONS FOR MEMBERS OF THE FIRE AND POLICE PENSION FUND.**

Mayor Carlos M. Ramirez reiterated the City Council is in favor of this item. He explained each of the ballot propositions individually.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained absentee voting begins tomorrow. She explained all ballot propositions must end in a question mark.

Representative Sumrall asked that the media promote the special election to better inform the public.

Mr. Mike Pritchard, Chairman of the Fire and Policemen's Pension Fund, explained the newspaper will be printing an article. He also informed Council Members that postcards have been mailed to individuals involved in the Fire and Policemen's Pension Fund. He added this ballot proposition will be at no cost to the public.

Representative Cook complimented the City's Legal department, the City staff, Mayor Ramirez and Representative Ortega for this accomplishment.

Motion duly made by Representative Ortega, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-00020, FOR PORTIONS OF TRACTS 15, 16 AND 17-A, SECTION 32, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS (TURNER ROAD NEAR JOE BATTLE BOULEVARD), PURSUANT TO SECTION 20.04.140 OF THE EL PASO MUNICIPAL CODE.**

WHEREAS, **TROPICANA HOMES** (the "Applicant") has applied for approval of a detailed site development plan pursuant to Section 20.04.140 (Zoning) of the El Paso Municipal Code, to permit the construction and development of a planned residential development; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a planned residential development on the following described property which is located in a PR-II (Planned Residential II) District:

*Portions of Tracts 15, 16 and 17-A, Section 32, Block 79, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally referred to as the area of Turner Road near Joe Battle Boulevard.*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's Office.)



2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the PR-II (Planned Residential II) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the PR-II (Planned Residential II) District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....  
Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to award Bid No.: 2001-043 - Mast Arm Poles

Award to: Valmont Industries, Inc.  
Valley, Nebraska  
Items Nos.: 1 through 8 (all)  
Amount: \$99,250.00 Estimated Yearly

Department: Street  
Funds Available: 255001-250102-130004 / 208036  
Funding Source: Privately (some may be refunded through Privately Funded Capital and COs FY-2000  
General Obligations Fund 1998  
Award: \$99,250.00 Estimated Yearly

Purchasing and Street Departments recommend awards as indicated, to the lowest responsive (by definition, meeting specifications) offers, from responsible offerors.

Vendor does not offer any options.

This is a requirements type contract with an initial term of twenty-four (24) months.

.....  
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A.** An Ordinance amending Title 2, (Administration and Personnel), Chapter 2.16, (Zoning Board of Adjustment), Section 2.16.050, (Special Exceptions) by adding paragraph U to permit the encroachment into yard setback requirements for encroachments that have been in existence for fifteen years or longer under certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.

NOTE: The penalty clause was added to the heading for this item.

- B. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of Accessibility and ADA Coordinator. The Code will remain 5694. The Grade will remain PM 74.
- C. An Ordinance granting a Special Privilege to the El Paso Community College permitting the encroachment of subsurface reinforcing tie-backs for a retaining wall onto a portion of public right-of-way within Block 6, Sunset Heights Addition. SP-00022 (Fee: \$1,100.00)
- D. An Ordinance granting a Special Privilege to the Central Business Association of El Paso, Inc., to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso from January 17, 2001 through December 31, 2001 SP-00027 (Fee: \$75.00 per location)
- E. An Ordinance designating Reinvestment Zone "HH" within the City of El Paso as authorized by the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended; describing the boundaries of said Reinvestment Zone "HH"; describing the eligibility of said Reinvestment Zone "HH" for Commercial-Industrial Tax Abatement of Real and Personal Property located therein; and providing for a savings clause.
- F. An Ordinance designating Reinvestment Zone "II" within the City of El Paso as authorized by the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended; describing the boundaries of said Reinvestment Zone "II"; describing the eligibility of said Reinvestment Zone "II" for Commercial-Industrial Tax Abatement of Real and Personal Property located therein; and providing for a savings clause.
- G. An Ordinance designating Reinvestment Zone "JJ" within the City of El Paso as authorized by the Property Redevelopment and Tax Abatement Act, §§312.001 et. seq., Texas Tax Code, as amended; describing the boundaries of said Reinvestment Zone "JJ"; describing the eligibility of said Reinvestment Zone "JJ" for Commercial-Industrial Tax Abatement of real and personal property located therein; and providing for a savings clause.

**PUBLIC HEARING WILL BE HELD ON JANUARY 16, 2001 FOR ITEMS A - G**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**ADDITION TO THE AGENDA**

\*Motion made, seconded and unanimously carried to appoint Sylvia Borunda Firth to the Civil Service Commission by Rep. Rose Rodriguez.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Patricia Montejano, 00-C-281 (551.071)
- B. Alana Johnson, 99-PD-6-2E (551.071)
- C. Kinder Morgan, Inc. v. City of El Paso, EP-OO-CA-0144, Our File No. 00-S-21 (551.071)
- D. Maria Huerta, et al. vs Officer Dirk Hiltl, et al., Cause No. EP00CA0375, Our File No. 00-S-52 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to delete the discussion and action on Patricia Montejano, 00-C-281.

Representative Medina was not present for the vote.

\*Motion made, seconded and unanimously carried to postpone one week the discussion and action on Alana Johnson, 99-PD-6-2E.

Motion made by Representative Ortega, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED TO REJECT SETTLEMENT OFFER PROPOSED BY KINDER MORGAN** in the lawsuit entitled **Kinder Morgan, Inc. vs. City of El Paso; Cause No. EP-00-CA-0144; Our File No. 00-S-21**, as recommended by the City Attorney.

Motion made by Representative Ortega, seconded by Representative Cook and carried to authorize outside attorneys, **SMYSER KAPLAN & VESELKA, L.L.P., TO FILE A WRITTEN OFFER OF SETTLEMENT** in the case entitled **Kinder Morgan, Inc. vs. City of El Paso, Cause No. EP00CA0144, Our File No. 00-S-21**, as recommended by the City Attorney.

No action was taken regarding Maria Huerta, et al. vs Officer Dirk Hiltl, et al., Cause No. EP00CA0375, Our File No. 00-S-52.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to adjourn this meeting at 10:30 a.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter

Carole Hunter, City Clerk

Charles McNabb

Charles McNabb, City Attorney

